

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

The Burlington Northern and Santa Fe Railway Company,
Petitioner,

v.

Princeton Township, Bureau County, Illinois; Bureau County, Illinois
and, State of Illinois, Department of Transportation,
Respondents.

T04-0007
Supp.

Petition seeking an order from the Illinois Commerce Commission
authorizing the permanent closure and removal of the at grade crossing
located at the intersection of the tracks of The Burlington Northern and
Santa Fe Railway Company and Princeton Township Road 2300 E (TR
286), Milepost 101.19, DOT No. 079 679A; the construction of a
connecting road located south of and parallel to The Burlington
Northern and Santa Fe Railway Company's tracks which would serve to
connect Princeton Township Road 2300 E (TR 286) and Princeton
Township Road 1800 N (TR 296); with the cost of such project to be
borne by the parties in accordance with law and that a substantial
portion of the cost be borne by the Grade Crossing Protection Fund.

SUPPLEMENTAL ORDER

By the Commission:

On May 5, 2004, the Illinois Commerce Commission ("Commission") entered its Original Order in this matter requiring, among other things, Bureau County to construct a connecting roadway from TR-2300 (TR-286) to TR-1800 (TR-296) in Princeton Township, Bureau County, Illinois. All work was to be completed within eighteen (18) months of the Order date.

On October 5, 2005, the County filed its First Supplemental Petition stating that it had diligently progressed with the work after receiving the Commission's Order. That work has commenced and is approximately 50% complete. With good weather, the project will be completed by December 31, 2005. The only work that will need to be completed will be final cleanup work. Seeding and final ditch shaping may also be required. The County believes it can complete the residual work by April 30, 2006. Therefore it requests an extension of time, to and including April 30, 2006, within which to complete the work required by the Original Order.

The Commission's Rail Safety Section ("Staff") has reviewed the County's request, believes it is reasonable, and should be approved.

The Commission, having given due consideration to the entire record herein, finds that:

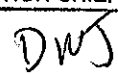
- 1) the Commission has jurisdiction of the parties hereto and the subject matter herein;
- 2) the recitals of fact as set forth in the prefatory portion of this Supplemental Order are true and correct and are hereby adopted as findings of fact;
- 3) the extension of time, to and including April 30, 2006, is fair and reasonable and should be granted, without hearing;
- 4) all other terms and conditions of the previous Orders entered in this case should remain in full force and effect except as herein modified.

IT IS THEREFORE ORDERED by the Illinois Commerce Commission that Bureau County is hereby granted an extension of time, to and including April 30, 2006, within which to perform the work required of it under the original Order in this matter.

IT IS FURTHER ORDERED that all other terms and conditions of the original Order dated April 21, 2004, shall remain in full force and effect except as herein modified.

IT IS FURTHER ORDERED that subject to Sections 18c-2201 and 18c-2206 of the Law, this is a final decision of the Commission subject to Administrative Review Law.

By Order of the Commission this 21st day of December, 2005.

JUDGE
SECTION CHIEF
 ORDERS SUPERVISOR

Chairman